IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

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§	CASE NO. 4:12cv652
§	Judge Clark/Judge Mazzant
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ORDER ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 30, 2013, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Plaintiff's Motion to Remand [Doc. #7] be denied, and that Douglas Lumpkin be dismissed as improperly joined.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Plaintiff's Motion to Remand [Doc. #7] is **DENIED**.

It is further ORDERED	that Douglas	Lumpkin is	DISMISSED	as improperly	joined.

So **ORDERED** and **SIGNED** on March <u>7</u>, 2013.

Ron Clark

United States District Judge

Ron Clark